



**NEWS RELEASE**  
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**SWEEPING LANDMARK CLASS ACTION SETTLEMENT PAVES THE WAY**  
**FOR IMPROVED SIDEWALK ACCESS FOR PEOPLE WITH DISABILITIES**

In an unprecedented settlement announced today, two individuals with disabilities, two disability rights organizations, and the California Department of Transportation (“Caltrans”) have reached a comprehensive plan that will provide access for persons with mobility and vision disabilities to 2,500 miles of sidewalk and Park and Ride facilities across the State of California that are owned or maintained by Caltrans. The settlement resolves two hard fought class action lawsuits that spanned over several years, alleging a denial of access for persons with mobility and vision disabilities to Caltrans sidewalks and Park and Ride facilities due to barriers such as curbs without curb ramps, a lack of detectable warnings (i.e. yellow truncated domes), sidewalks that are too narrow, and sidewalks with uneven and broken pavement. This is the largest single settlement reached on the issue of architectural access for persons with disabilities nationwide.

The class representatives – Californians for Disability Rights, Inc. (“CDR”) and the California Council of the Blind (“CCB”), Ben Rockwell, an individual with a mobility disability, and Dmitri Belser, an individual with a vision disability – are represented by Disability Rights Advocates (“DRA”), a non-profit law center that specializes in high-impact cases on behalf of persons with disabilities in Berkeley, California; Jose Allen, a partner at Skadden, Arps, Meagher & Flom LLP in San Francisco, California; and AARP Foundation Litigation (AFL), the legal advocacy unit of the AARP.

Under the settlement, Caltrans has committed to a comprehensive plan for improving access to its sidewalks and Park and Ride facilities for persons with mobility and vision disabilities. The plan includes a financial commitment of \$1.1 billion for the next 30 years. Caltrans will allocate \$25 million per year for the first five years (beginning with the fiscal year in which the Agreement becomes effective). For the next ten years, Caltrans will allocate \$35 million per year. Thereafter, Caltrans will allocate \$40 million per year for a period of ten years. Finally, Caltrans will allocate \$45 million per year for the next five years. The annual allocations will come from dedicated federal and state transportation funding and will be used solely to remove existing access barriers along Caltrans’ sidewalks and within Caltrans’ Park and Ride facilities. The public will be able to report any such existing access barriers to Caltrans. This \$1.1 billion fund will result in the removal of tens of thousands of access barriers throughout Caltrans’ sidewalk system and Park and Rides.

In addition, Caltrans has agreed that when it resurfaces one of its roadways (an ongoing activity statewide), it will upgrade existing but non-compliant curb ramps and/or install new curb ramps where

they are lacking along the sidewalks adjacent to the resurfacing project. Many thousands of additional access barriers will be remedied through this commitment. The settlement agreement also requires that Caltrans follow federal and state accessibility guidelines when undertaking new construction or alterations of sidewalks and/or Park and Ride facilities.

“This landmark settlement recognizes the essential need to provide access for persons with disabilities,” said Laurence Paradis, Executive Director of Disability Rights Advocates and lead counsel for the Plaintiffs. “We are pleased that Caltrans has embraced its obligation to ensure that people with disabilities will have full and equal access to Caltrans sidewalks and Park and Ride facilities.”

The sidewalks covered by this settlement include cross-walks, pedestrian overcrossings, pedestrian undercrossings and other walkways designated for pedestrian use that are owned or maintained by Caltrans. These sidewalks are usually located along state highways that become “streets” as they pass through cities and towns.

“AARP Foundation Litigation chose to represent the class members because with 77 million aging Baby Boomers in this country, we need to make sure our communities are places where everyone can live and get around,” said Julie Nepveu, a senior attorney with the AARP Foundation Litigation. “This unprecedented settlement helps move us toward that goal. Every trip begins and ends with a sidewalk, so it is vital that we include safe and accessible sidewalks in all street renovations.”

Jeff Thom, president of the California Council of the Blind, an organizational plaintiff in the lawsuit, stated, “This settlement is a milestone for thousands of blind and low vision people as it will lead to changes that enable them to safely navigate Caltrans sidewalks.”

“Millions of people with disabilities across the state of California will benefit from this settlement,” stated Laura Williams, president of Californians for Disability Rights, Inc., an organizational plaintiff in the lawsuit. “It will also serve as a model for other public entities across the state and the nation for providing safety and equal access.”

Dmitri Belser, an individual with a vision disability and a named plaintiff in the case, explained, “The settlement acknowledges the needs of the disability community. For me personally, it will ensure that I can commute to work and travel around my community safely.”

Ben Rockwell, an individual with a mobility disability and a named plaintiff in the case, expressed his praise of the settlement. “This is a great day for people with mobility disabilities. People like myself who are wheelchair users look forward to the day when we do not have to travel in the street with vehicular traffic because sidewalks are inaccessible.”

Mary-Lee Kimber, an attorney at Disability Rights Advocates, stated, “This settlement recognizes the importance of accessible sidewalks and Park and Ride facilities for persons with mobility and vision disabilities. This is a long-term investment in California’s future which will afford persons with disabilities the opportunity to participate more fully in society.”

The settlement agreement includes provisions for ongoing reporting by the Department and monitoring by an access consultant and plaintiffs’ attorneys. The federal court will maintain its jurisdiction to enforce the settlement agreement.